



DEPARTMENT OF
COMMUNITY DEVELOPMENT

DEVELOPMENT REVIEW DECISION
AND ABBREVIATED STAFF REPORT

Date: April 9, 2001

Case Number:

MZR2001-00022

Lot Determination

Contact:

Jack Selfridge

201 NE Park Plaza Drive, #100
Vancouver, WA 98684

Owner:

Ken Will

Request: Determine if tax lot is a separate legal lot of record.

Location: 27512 NE 200th Avenue

Legal Description: Tax lot 96 (233784) located
in the Northwest ¼ of Section 20, Township 4
North, Range 3 East of the Willamette Meridian

Comprehensive Plan Designation:

Rural

Zoning Designation:

R-5

Applicable Ordinances: CCC 17.105; Current and past platting and zoning laws.

Clark County Staff Contact: Daniel Carlson, Planner I

Determination: NOT a legal lot of record, as identified on the attached Exhibit "A".

Team Leader's Initials: JPG **Date:** 4-9-01

Timelines:

This application was submitted on March 1, 2001 and determined to be fully complete on March 22, 2001. Clark County Code (CCC) 18.600.060 requires that a decision on a Type I application be issued within 21 days from a fully complete determination. Therefore, the County Code requirement for issuing a decision within 21 days would lapse on April 12, 2001.

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Analysis:

A complete analysis was conducted to determine if the parcels identified above were created in compliance with all applicable platting and zoning laws in effect at the time of their creation. The following issues, because of their significance, are discussed in detail:

1. A legal lot of record is a lot which was in compliance with both the platting, if applicable, and zoning laws in existence when the parcel was originally created or segregated, or which is otherwise determined to be consistent with the criteria of CCC 17.105. Owners of such lots shall be eligible to apply for building permit or other County development review, pursuant to County code.
2. Tax lot 96 was created by Real Estate Contract dated February 15, 1989. At that time the zoning was RR, which had a minimum lot size of 2.5 acres. This lot did not meet that requirement and at the time it was created it would have been subject to the county short plat ordinance dated July 1, 1976. Because it did not receive short plat approval, and because it did not comply with zoning laws, tax lot 96 is NOT considered a separate legal lot of record.
3. The lot that consisted of tax lot 96 & 54 together was legally created in 1978. The lot to the north of the subject property, which is known as lot 2 of Short Plat Book 2, Page 75 was legally created in 1984. The February 15, 1989 Real Estate Contract accomplished a boundary line adjustment that adjusted tax lot 96 into lot 2 of Short Plat Book 2, Page 75. This left tax lot 54 as one legal lot, and the lot that consisted of tax lot 96 and lot 2 of Short Plat Book 2, page 75 together as one legal lot of record. Tax lot 96 is NOT considered a separate legal lot of record.

Conditions:

Based upon this review, staff concludes that the subject property is **NOT** a legal lot of record.

1. This determination is based upon the Zoning Code in effect when this request was submitted to the County and does not cover matters of record or survey not received.
2. This determination does not cover the issuance of a building permit, which is subject to further review.

The Development Services Manager reserves the right to develop a complete written report and findings of fact regarding this decision, if appealed.

An **appeal** of any aspect of this decision must be filed with the Department of Community Development within 14 calendar days from date of decision notice. The letter of appeal should contain the following information:

1. The case number designated by the County and the name of the applicant; and

2. The name and signature of each petitioner and a statement showing that each petitioner is entitled to file an appeal as described under Section 18.600.100 (A) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact representative.

A fee of **\$575.00** (plus an additional 11.7% surcharge) must accompany the appeal. Submit the appeal request and fee to the Development Services Application Counter, between 7:30 a.m. and 4:30 p.m., Monday through Friday, at the address below:

Appeal to the Clark County Hearings Examiner
Department of Community Development
1408 Franklin Street / PO Box 9810
Vancouver, WA. 98666-9810